

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STRAIGHT PATH IP GROUP, INC.,

No. C 16-03582 WHA

Plaintiff,

v.

APPLE INC.,

**ORDER ON
ADMINISTRATIVE MOTIONS
TO FILE UNDER SEAL**

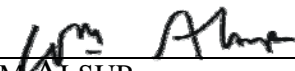
Defendant.

A prior order required plaintiff Straight Path IP Group, Inc., and its counsel to show cause why they should not be held liable for defendant Apple Inc.'s attorney's fees (Dkt. No. 169 at 22). After Straight Path submitted its response to that order, Apple filed a response to Straight Path's brief setting forth further arguments for why Straight Path should be ordered to pay Apple's fees and costs (Dkt. No. 165). In connection with its response, Apple also filed an administrative motion to file under seal portions of Exhibits 10, 11, 13, and 16 to the declaration of Clayton James, as well as portions of its response citing information from those exhibits, pursuant to Straight Path's confidentiality designations (Dkt. No. 164). Straight Path then filed a separate administrative motion to keep under seal only more limited portions of Exhibits 10, 13, and 16 that revealed Straight Path's specific settlement and license payment terms and royalty rate terms with third parties. According to Straight Path, this information remains subject to confidentiality agreements with third parties and public disclosure of this information "could substantially interfere with and very likely harm" Straight Path's or the third parties' "ongoing and future licensing negotiations" (*see* Dkt. No. 167-1 ¶¶ 2-4).

1 Since the underlying issue — whether Straight Path should be ordered to pay Apple's
2 fees and costs — is no more than tangentially related to the merits of this action, only good
3 cause is required to warrant sealing. *See Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d
4 1092, 1101 (9th Cir. 2016). This order finds Straight Path has shown good cause only for the
5 limited portions of Exhibits 10, 13, and 16 that reveal specific, confidential settlement and
6 license payment terms and royalty rate terms with third parties. The administrative motions to
7 file under seal (Dkt. Nos. 164, 167) are therefore **GRANTED** only to that extent. Apple shall file
8 unredacted or revised redacted versions of the documents encompassed by its administrative
9 motion to fully comply with this order by **JANUARY 11 AT NOON**.

10
11 **IT IS SO ORDERED.**

12
13 Dated: January 4, 2018.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE